

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2019 SEP -6 AM 11:53

IN RE:

ROHIT ROHIT

§
§
§
§
§

EP-19-MC-00207-DCG
FILE UNDER SEAL

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY JS
DEPUTY

ADVISORY TO THE COURT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Movant, United States of America, by and through the United States Attorney for the Western District of Texas, and hereby respectfully files this Advisory to the Court of September 6, 2019, and would respectfully show the Court as follows:

1. On July 24, 2019, Movant filed an Ex Parte Motion for Order to Seal [ECF Doc. 1] seeking to file its Emergency Ex Parte Motion for Order of Authorization to Provide Non-Consensual Medical Examination and Non-Consensual Hydration under seal. *See* ECF Doc. 3.
2. On July 25, 2019, the Court ordered the United States District Clerk to seal from public scrutiny the United States' Emergency Ex Parte Motion for Order of Authorization to Provide Non-Consensual Medical Examination and Non-Consensual Hydration. ECF Doc. 2. The Court also entered its Order of Authorization allowing for ICE to provide Respondent with nonconsensual medical examination and hydration. ECF Doc. 4.
3. On August 2, 2019, the Court entered its Text Order appointing attorney Brock Benjamin to represent Respondent. ECF Text Order dated August 2, 2019.
4. On August 16, 2019, the Court held a status hearing in the instant matter. ECF Doc. 14. Thereafter, the Court entered its Supplemental Order of Authorization allowing ICE to medically intervene to provide nutrients to Respondent. ECF Doc. 16.

5. On August 26, 2019, Movant filed its first Advisory to the Court advising as to Respondent's updated health status. ECF Doc. 17.

6. On August 30, 2019, Movant filed its second Advisory to the Court relating to Respondent's updated health status. ECF Doc. 19.

7. Movant now respectfully informs the Court that Respondent's removal from the United States back to his home country is imminent.¹ Movant will be filing a separate advisory relating to Respondent's current health status which is anticipated to state that Respondent is medically stable and fit for travel.

Respectfully submitted,

JOHN F. BASH
UNITED STATES ATTORNEY



MANUEL ROMERO
Assistant United States Attorney
Texas State Bar No. 24041817
Email: manuel.romero@usdoj.gov

ANGELICA A. SAENZ
Assistant United States Attorney
Texas State Bar No. 24046785
Email: angelica.saenz@usdoj.gov
700 E. San Antonio, Ste. 200
El Paso, Texas 79901
Office: (915) 534-6884
Facsimile: (915) 534-3490
Attorneys for United States

¹ Movant respectfully asserts that disclosure of detainee's date of travel or itinerary creates security issues for the government. If required by the Court, Movant can provide the Court with Respondent's travel itinerary ex parte and under seal.

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2019, a true and correct copy of the foregoing document was traditionally filed with the Clerk of the Court and a true and correct copy of the foregoing document was served via encrypted email to: Brock Benjamin, Benjamin Law Firm, brock.benjamin@gmail.com, *Attorney for Respondent*.

A handwritten signature in black ink, appearing to read 'M. Romero', is written over a horizontal line.

MANUEL ROMERO
Assistant United States Attorney